

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**Date of filing in State Engineer's Office JAN 26 1994

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_ Map filed FEB 26 1975 under 02812The applicant NEVADA DEPARTMENT OF TRANSPORTATION1263 SOUTH STEWART STREET

Street and No. or P.O. Box No.

of CARSON CITY

City or Town

NEVADA 89712

State and Zip Code No.

hereby make<sup>s</sup> application for permission to change theplace of use and manner of use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Proof of Appropriation No. 02814 of the decree of

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

Ophir Creek and Tributaries, Second Judicial District Court of the State of Nevada

Identify right in Decree.

1. The source of water is Ophir Creek and tributaries

Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.978 cfs - 156.44 acre feet

Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for wildlife purposes

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for irrigation and stockwatering

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point same as in item no. 6

Describe as being within a 40-acre subdivision of public survey and by course and

distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within See attached sheet for multiple

If point of diversion is not changed, do not answer.

vested points of diversion7. Proposed place of use All or portions of Sections 24, 25, 26, 35, and 36, T17N, R19E,

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

MDB&M All or portions of Sections 1, 2, 11, 12, 13, 14, 23, 24, 25, and 26 T16N,  
R19E, MDB&M All or portions of Sections 6, 7, 17, 18, 19, 20, and 30 T16N, R20E,  
MDB&M8. Existing place of use Section 35-7.76 ac SW $\frac{1}{4}$  SW $\frac{1}{4}$ , 7.76 ac NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 7.76 ac SW $\frac{1}{4}$  NW $\frac{1}{4}$ ,

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

7.78 ac NW $\frac{1}{4}$  NW $\frac{1}{4}$ ; Section 26-6.35 ac SW $\frac{1}{4}$  SW $\frac{1}{4}$ , 1.70 ac NW $\frac{1}{4}$  SW $\frac{1}{4}$ , All in T17N, R19E,

manner of use of irrigation permit, describe acreage to be removed from irrigation.

MDB&M9. Use will be from as decreed to \_\_\_\_\_ of each year.

Month and Day

Month and Day

10. Use was permitted from as decreed to \_\_\_\_\_ of each year.

Month and Day

Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Existing dams and ditches will be utilized to

State manner in which water is to be diverted, i.e. diversion structure,

transport water to the place of use

ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works none-existing13. Estimated time required to construct works none-existing

14. Estimated time required to complete the application of water to beneficial use one year

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Please use the map filed to support Proof of Appropriation No. 02812 to show the  
existing points of diversion and place of use. Please use the map filed to support  
Application No. 59382 to show proposed place of use

By Jon L. Bunch-Manager  
Right of Way Engineering  
s/Jon L. Bunch  
1263 South Stewart Street  
Carson City, NV 89712

Compared bc/bc dl/cms

Protested \_\_\_\_\_

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use and manner of use of the waters of Ophir Creek and tributaries, as heretofore appropriated under Proof 02814 as appears in the Matter of the Determination of Relative Rights in and to the Waters of Ophir Creek and tributaries, in the District Court of the Second Judicial District of the State of Nevada, in and for the County of Washoe is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 59721, 59722, 59723 and 59724 shall not exceed 189.6 acre-feet as decreed.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.978 cubic feet per second but not to exceed 156.44 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before March 1, 2000

Proof of completion of work shall be filed before April 1, 2000

Application of water to beneficial use shall be made on or before March 1, 2001

Proof of the application of water to beneficial use shall be filed on or before April 1, 2001

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed APR 28 2000

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 1st day of March

A.D. 19 99

R. Michael Turnipseed  
 State Engineer

CANCELLED MAY 17 2001 BECAUSE OF FAILURE  
 OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT  
Andrucci, P.E. STATE ENGINEER

APPLICATION TO CHANGE NO. \_\_\_\_\_  
APPLICANT: NEVADA DEPARTMENT OF TRANSPORTATION

**ATTACHMENT FOR ITEM NO. 6  
EXISTING POINTS OF DIVERSION**

1. Within the NE1/4 SW1/4 of Section 34, T. 17 N., R. 19 E., M.D.B. & M., or at a point from which the S1/4 corner of said Section 34 bears S 6° 55' E, a distance of 2,070 feet.
2. Within the SE1/4 SE1/4 of Section 34, T. 17 N., R. 19 E., M.D.B. & M., or at a point from which the S1/4 corner of said Section 34 bears S 56° 07' W, a distance of 1,786.0 feet.
3. Within the SW1/4 SW1/4 of Section 35, T. 17 N., R. 19 E., M.D.B. & M., or at a point from which the SW corner of said Section 35 bears S 15° 50' W, a distance of 665.0 feet.
4. Within the SW1/4 SW1/4 of Section 35, T. 17 N., R. 19 E., M.D.B. & M., or at a point from which the SW corner of said Section 35 bears S 31° 48' W, a distance of 670.0 feet.

